

1 UNITED STATES DISTRICT COURT
2 FOR THE NORTHERN DISTRICT OF OHIO
3 EASTERN DIVISION

4 IN RE: NATIONAL)
5 PRESCRIPTION) MDL No. 2804
6 OPIATE LITIGATION)
7) Case No.
8) 1:17-MD-2804
9)
10 THIS DOCUMENT RELATES) Hon. Dan A.
11 TO ALL CASES) Polster
12)

13 FRIDAY, JANUARY 4, 2019

14 HIGHLY CONFIDENTIAL - SUBJECT TO FURTHER
15 CONFIDENTIALITY REVIEW

16 - - -

17 Videotaped deposition of Ramona
18 Sullins, held at the offices of JONES DAY, 77
19 West Wacker Drive, Chicago, Illinois,
20 commencing at 7:31 a.m., on the above date,
21 before Carrie A. Campbell, Registered
22 Diplomate Reporter, Certified Realtime
23 Reporter, Illinois, California & Texas
24 Certified Shorthand Reporter, Missouri &
25 Kansas Certified Court Reporter.

- - -

GOLKOW LITIGATION SERVICES
877.370.3377 ph | 917.591.5672 fax
deps@golkow.com

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APPEARANCES:
 CARELLA, BYRNE, CECCHI, OSTEIN,
 BRODY & AGNELLO, P.C.
 BY: ZACHARY S. BOWER
 zbower@carellabyrne.com
 DAVID GILFILLAN
 dgilfillan@carellabyrne.com
 MICHAEL INNIS
 (VIA TELECONFERENCE)
 5 Becker Farm Road
 Roseland, New Jersey 07068
 (973) 994-1700
 Counsel for Plaintiffs

WILLIAMS & CONNOLLY LLP
 BY: JOSEPH BUSHUR
 jrbushur@wc.com
 (VIA TELECONFERENCE)
 725 Twelfth Street, N.W.
 Washington, DC 20005
 (202) 454-5331
 Counsel for Cardinal Health, Inc.

TABET DIVITO ROTHSTEIN
 BY: KYLE A. COOPER
 kcooper@tdrlawfirm.com
 209 South LaSalle Street, 7th Floor
 Chicago, Illinois 60604
 (312) 762-9495
 Counsel for McKesson Corporation

JONES DAY
 BY: TARA FUMERTON
 tfumerton@jonesday.com
 JOANNE CACERES
 jcaceres@jonesday.com
 77 West Wacker
 Chicago, Illinois 60601-1692
 (312) 782-3939
 Counsel for Walmart

Page 3

MARCUS & SHAPIRA LLP
 BY: DARLENE M. NOWAK
 nowak@Marcus-Shapira.com
 (VIA TELECONFERENCE)
 301 Grant Street, 35th Floor
 Pittsburgh, Pennsylvania 15219-6401
 (412) 338-4690
 Counsel for HBC

ARNOLD & PORTER
 BY: SETH WIENER
 Seth.Wiener@arnoldporter.com
 (VIA TELECONFERENCE)
 601 Massachusetts Avenue, NW
 Washington, DC 20001-3743
 (202) 942-5000
 Counsel for Endo Pharmaceuticals
 Inc., and Endo Health Solutions Inc.

JACKSON KELLY PLLC
 BY: SYLVIA WINSTON NICHOLS
 sylvia.winston@jacksonkelly.com
 (VIA TELECONFERENCE)
 150 Clay Street, Suite 500
 Morgantown, West Virginia 26501
 (304) 284-4138
 Counsel for AmerisourceBergen

ALSO PRESENT:
 WALMART LEGAL
 BY: PAUL D. MORRIS
 Paul.Morris@walmartlegal.com
 702 Southwest 8th Street, M.S. #0215
 Bentonville, Arkansas 72716-0215
 (479) 204-9118
 In-house Counsel for Walmart

VIDEOGRAPHER:
 Stephan Hoog
 Golkow Litigation Services

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<p style="text-align: right;">Page 6</p> <p>1 Walmart E-mail(s), Sullins 22 WMT_MDL_000017434 - 2 WMT_MDL_000017435 3 Walmart E-mail(s), Sullins 23 WMT_MDL_000002717 4 5 Walmart E-mail(s), Sullins 24 WMT_MDL_000007345 6 (Exhibits attached to the deposition.) 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25</p>	<p style="text-align: right;">Page 8</p> <p>1 MR. MORRIS: Paul Morris from 2 Walmart legal department. 3 MS. CACERES: Joanne Caceres 4 from Jones Day on behalf of Walmart. 5 MS. FUMERTON: Tara Fumerton 6 from Jones Day on behalf of Walmart 7 and the witness. 8 VIDEOGRAPHER: The folks on the 9 phone? 10 MR. BUSHUR: Joseph Bushur of 11 Williams & Connolly on behalf of 12 Cardinal Health. 13 MS. NOWAK: Darlene Nowak, 14 Marcus & Shapira, on behalf of HBC 15 Services. 16 MR. WIENER: Seth Wiener of 17 Arnold & Porter Kay Scholer on behalf 18 of Endo Health Solutions, Inc., Endo 19 Pharmaceuticals, Inc., Par 20 Pharmaceutical, Inc., and Par 21 Pharmaceutical Companies, Inc. 22 VIDEOGRAPHER: The court 23 reporter today is Carrie Campbell. 24 Can you please swear in the 25 witness?</p>
<p style="text-align: right;">Page 7</p> <p>1 VIDEOGRAPHER: We are now on 2 the record. 3 My name is Stephan Hoog. I'm 4 the videographer for Golkow Litigation 5 Services. 6 The date today is January 4, 7 2019. The time is 7:31 a.m., as 8 indicated on the video screen. 9 This video deposition is being 10 held in Chicago, Illinois, in the 11 matter of In Re: National Prescription 12 Opiate Litigation for the US District 13 Court, Northern District of Ohio. 14 The deponent is Ramona Sullins. 15 Will counsel please introduce 16 themselves for the video record. 17 MR. BOWER: Good morning. Zach 18 Bower, Carella Byrne, on behalf of 19 plaintiffs. 20 MR. GILFILLAN: David 21 Gilfillan, Carella Byrne, on behalf of 22 plaintiffs. 23 MR. COOPER: Kyle Cooper from 24 Tabet DiVito Rothstein on behalf of 25 McKesson Corporation.</p>	<p style="text-align: right;">Page 9</p> <p>1 RAMONA SULLINS, 2 of lawful age, having been first duly sworn 3 to tell the truth, the whole truth and 4 nothing but the truth, deposes and says on 5 behalf of the Plaintiffs, as follows: 6 7 VIDEOGRAPHER: Please proceed. 8 9 DIRECT EXAMINATION 10 QUESTIONS BY MR. BOWER: 11 Q. Good morning, Ms. Sullins. How 12 are you today? 13 A. Doing good, thank you. 14 Q. Have you ever given a 15 deposition before? 16 A. No. 17 Q. So I'm sure your attorney 18 informed you of kind of the ground rules for 19 today, but we'll go over a few of the 20 important ones, okay, and let me know if you 21 don't understand any. 22 Okay? 23 A. Okay. 24 Q. The first and probably most 25 important is just to let me finish my</p>

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1 questions and allow your attorney a chance to
2 object to any question before you answer.
3 Okay?
4 A. Okay.
5 Q. And also, I'd ask that if you
6 don't understand any question today, you ask
7 me to rephrase the question or let me know
8 that you don't understand before answering.
9 Do you understand that?
10 A. I do understand that.
11 Q. Okay. So if you do answer a
12 question, I will assume that you did
13 understand the question.
14 Okay?
15 A. Okay.
16 Q. And also, please, if the answer
17 calls for a yes or no, provide the answer
18 verbally without shaking your head or nodding
19 your head so the court reporter can take down
20 your answer.
21 Okay?
22 A. Okay.
23 Q. Is there any reason that you
24 cannot testify truthfully today?
25 A. No.

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1 Q. Are you taking any medication
2 that would prevent you from testifying
3 truthfully today?
4 A. No.
5 Q. Have you ever provided any
6 statements under oath on behalf of Walmart?
7 A. No.
8 Q. Never provided a declaration or
9 anything like that?
10 A. No.
11 Q. When did you first learn you
12 would be giving a deposition in this case?
13 A. I don't recall the actual date.
14 Q. Do you recall the approximate
15 date?
16 A. No. Whenever I got the -- the
17 notice in the e-mail.
18 Q. You got an e-mail from someone
19 at Walmart?
20 A. Yes.
21 Q. Okay. Who sent you that
22 e-mail?
23 A. I believe it was Carl.
24 Q. Okay. And how did you prepare
25 for today's deposition?

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1 A. I met with our counsel.
2 Q. Okay. When was the first time
3 you met with your counsel?
4 A. It was back in November when
5 the original deposition was scheduled.
6 Q. Okay. And when did that
7 meeting take place? Do you recall
8 approximately -- strike that.
9 A. Before -- before Thanksgiving.
10 Q. And your deposition in this
11 case was rescheduled, correct?
12 A. Correct.
13 Q. Okay. Do you recall
14 approximately how long before that initial
15 deposition was scheduled you first met with
16 counsel?
17 A. The one time I met with counsel
18 was in November.
19 Q. November.
20 About how many days before the
21 initial deposition was scheduled did that
22 meeting take place?
23 A. I don't recall. It might have
24 been a week.
25 Q. Okay. And approximately how

Page 13

1 long was that meeting?
2 A. About four hours.
3 Q. Had you scheduled an additional
4 meeting with counsel to prepare for that
5 initial deposition date?
6 MS. FUMERTON: Objection.
7 Form.
8 THE WITNESS: There was a
9 meeting scheduled for the deposition.
10 QUESTIONS BY MR. BOWER:
11 Q. What about anything else prior
12 to the deposition?
13 Was there a meeting that you
14 all had planned to have prior to the
15 deposition?
16 A. No, just the prep.
17 Q. When was that prep to occur?
18 A. The four hours.
19 Q. So that prep had already
20 occurred; is that correct?
21 A. That's correct.
22 Q. Okay. So you had not planned
23 to meet with your counsel the day before that
24 deposition; is that correct?
25 A. I believe there was. I don't

Page 14

1 recall.
2 Q. You believe there was a meeting
3 scheduled, but you're not sure?
4 A. That's correct.
5 Q. Okay. Since that initial
6 four-hour meeting, have you done anything
7 else to prepare for today's deposition?
8 A. Just met with them yesterday.
9 Q. Okay. And how long was that
10 meeting?
11 A. Approximately seven, eight
12 hours.
13 Q. And who did you meet with?
14 A. Tara.
15 Q. Anyone else?
16 A. Joanne was there. Paul was
17 there.
18 Q. Anyone else?
19 A. I don't know her name. I think
20 her name's Tina.
21 Q. Do you remember whether they
22 were counsel for Walmart or outside counsel?
23 A. They were part of Jones Day.
24 Q. Jones Day.
25 Was there anyone on the phone?

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1 A. I don't know anybody that
2 chimed in.
3 Q. Was there a phone call open?
4 A. There was.
5 Q. Okay. Do you know who was on,
6 listening in to that phone?
7 A. No, I don't.
8 Q. Do you know why there was a
9 phone open?
10 MS. FUMERTON: Objection to the
11 extent that you're starting to get
12 into conversations with counsel. But
13 to the extent she can answer
14 otherwise, that's fine.
15 THE WITNESS: To -- it was our
16 counsel, Walmart.
17 QUESTIONS BY MR. BOWER:
18 Q. There was in-house counsel from
19 Walmart on the phone?
20 A. Yes.
21 Q. That's your understanding?
22 A. That was my understanding.
23 Q. Okay. That meeting took place
24 in Chicago?
25 A. Yes. It happened yesterday.

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1 Q. Did you review documents during
2 that meeting?
3 A. We did.
4 Q. Did you review documents that
5 refreshed your recollection for the testimony
6 you will provide today?
7 A. No.
8 Q. What was the purpose of
9 reviewing documents?
10 MS. FUMERTON: Objection to the
11 extent that she has -- her
12 understanding from reviewing documents
13 is based on communications with
14 counsel, so I'll instruct her not to
15 answer that question unless she can
16 answer it without revealing
17 attorney-client communications.
18 QUESTIONS BY MR. BOWER:
19 Q. Can you answer the question?
20 A. No.
21 Q. Okay. Have you ever been asked
22 to provide counsel with documents for this
23 case?
24 A. Not that I recall.
25 Q. Has anyone asked you whether

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1 you have documents that might be relevant to
2 this case?
3 MS. FUMERTON: Again, I object
4 to the question to the extent that
5 you're asking her about questions --
6 communications with counsel, and I'm
7 going to instruct her not to answer
8 that question.
9 MR. BOWER: Well, that
10 question -- that question she can
11 answer. It's a yes or no question.
12 QUESTIONS BY MR. BOWER:
13 Q. The question is this: Have you
14 been asked to provide documents that may be
15 responsive to this case?
16 MS. FUMERTON: Well, you're
17 asking may be responsive to this case.
18 You're not getting to the
19 communications with counsel.
20 You should have asked, which I
21 think you already did, "Have you been
22 asked to produced documents in
23 connection with the case?" That's a
24 yes or no question, which she can
25 answer.

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1 THE WITNESS: No.
2 QUESTIONS BY MR. BOWER:
3 Q. Have you ever spoken with
4 anyone at Walmart about this case?
5 A. No.
6 MS. FUMERTON: Again, just give
7 me a second to object.
8 To the extent it's outside of
9 communications with counsel in
10 preparation for the deposition.
11 THE WITNESS: No.
12 QUESTIONS BY MR. BOWER:
13 Q. Okay. Are you aware of whether
14 other Walmart employees have given testimony
15 in this case?
16 A. Can you repeat the question?
17 MR. BOWER: Can you just read
18 it?
19 (Court Reporter read back
20 question.)
21 MS. FUMERTON: And again, I'm
22 going to object to the question to the
23 extent that you're asking about any
24 communications with counsel.
25 But to the extent that she has

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1 knowledge outside of those
2 communications, she can answer the
3 question.
4 THE WITNESS: No.
5 QUESTIONS BY MR. BOWER:
6 Q. Is your answer affected by
7 communications with counsel and your
8 counsel's instructions not to answer
9 concerning those communications?
10 MR. BOWER: It's a yes or no
11 question. She's allowed to answer
12 whether she had knowledge of other
13 folks giving testimony. That's not a
14 privileged correspondence. There's no
15 legal advice being provided.
16 So I'll ask it again.
17 QUESTIONS BY MR. BOWER:
18 Q. Are you aware of whether other
19 Walmart employees have provided testimony in
20 this case?
21 MS. FUMERTON: I disagree with
22 your assertion of the law. I object
23 to the question to the extent that it
24 would invade communications with
25 counsel.

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1 To the extent that she's, for
2 example, talked to other folks at
3 Walmart about whether or not they've
4 given deposition testimony, I think
5 that's fair game, but I do not agree
6 with you that you can ask her
7 questions about communications with
8 counsel.
9 Just because it's a yes or no
10 question does not mean that it does
11 not invade privilege.
12 But to the extent you can
13 answer the question outside of
14 communications with counsel, please go
15 ahead.
16 THE WITNESS: No.
17 QUESTIONS BY MR. BOWER:
18 Q. Well, I'll ask it more
19 directly. Did counsel tell you who's been
20 deposed in this case?
21 MS. FUMERTON: Again, I
22 instruct you not to answer that
23 question on the basis of
24 attorney-client privilege.
25

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1 QUESTIONS BY MR. BOWER:
2 Q. Are you going to follow those
3 instructions and not answer the question?
4 A. I'm going to follow the
5 instructions.
6 Q. Do you know whether the
7 documents you reviewed in preparation for
8 your deposition were produced in this case?
9 MS. FUMERTON: I -- to the
10 extent that you're asking about
11 specific documents that she reviewed
12 with counsel, I think it's
13 inappropriate for you to ask her to
14 identify those documents.
15 QUESTIONS BY MR. BOWER:
16 Q. I'm not asking -- just to be
17 clear, I'm not asking her to identify
18 document. I'm just asking whether you know
19 the documents that you acknowledge you
20 reviewed were produced to plaintiffs in this
21 case.
22 A. I have no idea.
23 [REDACTED]
24 [REDACTED]
25 [REDACTED]

Page 22

[REDACTED]

Page 24

[REDACTED]

Page 23

[REDACTED]

Page 25

[REDACTED]

Page 26

[REDACTED]

Page 28

[REDACTED]

17 QUESTIONS BY MR. BOWER:
18 Q. When did you first begin
19 working at Walmart?
20 A. 1988.
21 Q. Can you briefly describe for us
22 your educational background after high
23 school?
24 A. I took a couple of non-credited
25 courses.

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[REDACTED]

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1 Q. When did you graduate high
2 school?
3 A. 1987.
4 Q. So you went to work for Walmart
5 after graduating high school; is that
6 correct?
7 A. Correct.
8 Q. What was your first job at
9 Walmart?
10 A. I was an order filler.
11 Q. And where was -- where were you
12 located at that time?
13 A. Plainview, Texas.
14 Q. And how long did you -- strike
15 that.
16 What was your next job at
17 Walmart after an order filler?
18 A. I loaded trailers.
19 Q. What do you mean by "loaded
20 trailers"?
21 A. I physically loaded
22 televisions, dog food, paint, into a trailer,
23 floor-loaded it.
24 Q. Was that at a Walmart
25 distribution center?

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1 A. Yes.
 2 Q. Which distribution center was
 3 that?
 4 A. 6012.
 5 Q. And where is that distribution
 6 center located?
 7 A. Plainview, Texas.
 8 Q. And just briefly can you
 9 describe what you did as an order filler?
 10 A. I filled orders for the store.
 11 Q. What do you mean by you "filled
 12 orders for the store"?
 13 Can you describe that with more
 14 specificity?
 15 A. So I filled like makeup, yarn,
 16 tools; placed those in a box and shipped
 17 them.
 18 Q. Were those online orders?
 19 A. No.
 20 Q. Where were the orders coming
 21 from?
 22 A. The stores that were aligned to
 23 that distribution center.
 24 Q. Okay. So you're also -- the
 25 role you described of filling orders was also

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1 at the distribution center; is that correct?
 2 A. That's correct.
 3 Q. Okay. And then what was the
 4 next position you held at Walmart?
 5 A. I went into quality assurance.
 6 Q. Okay. And approximately what
 7 time period was that?
 8 A. 1990.
 9 Q. And where were you located at
 10 that time?
 11 A. Plainview, Texas.
 12 Q. And how long did you hold that
 13 role in quality assurance?
 14 A. I don't recall how long I held
 15 the role.
 16 Q. Approximately how long?
 17 A. Maybe two years.
 18 Q. And just generally speaking,
 19 what were your duties and responsibilities in
 20 quality assurance?
 21 A. Inventory control, cycling the
 22 inventory, problem solving with freight that
 23 didn't have a home. Mostly just inventory
 24 related.
 25 Q. And were there any specific

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1 products or areas of the business you were
 2 responsible for?
 3 A. Not -- not at that time.
 4 Q. Was this at the same DC?
 5 A. Yes.
 6 Q. Who did you report to at this
 7 time?
 8 A. I don't recall.
 9 Q. And you held that role for
 10 approximately two years, until approximately
 11 1992?
 12 A. Yes.
 13 Q. What was your next role at
 14 Walmart?
 15 A. I was a supervisor.
 16 Q. What did you supervise?
 17 A. The associates in the order
 18 filling area.
 19 Q. How long did you hold that
 20 role?
 21 A. Until approximately 1995.
 22 Q. And then what role did you take
 23 on in 1995?
 24 A. I was a manager trainee.
 25 Q. And what does that mean?

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1 A. I was in the processes of
 2 learning how to run a department.
 3 Q. Does Walmart have specific
 4 training for its prospective managers?
 5 A. It did at that time.
 6 Q. And you were chosen to
 7 participate in that training, correct?
 8 A. Correct.
 9 Q. That was in 1995,
 10 approximately?
 11 A. Approximately.
 12 Q. And where did that training
 13 take place?
 14 A. Palestine, Texas.
 15 Q. And what type of training
 16 occurred?
 17 A. Leadership training.
 18 Q. Anything else?
 19 A. Manpower, forecasting,
 20 administrative.
 21 Q. What do you mean when you
 22 say -- strike that.
 23 Can you describe what
 24 leadership training is?
 25 A. So it would have been like how

<p style="text-align: right;">Page 34</p> <p>1 do you handle, you know, your interviewing 2 skills; how do you, you know, write different 3 disciplinary things. I'm trying to think 4 what else was in there. 5 Q. And I realize this is going 6 back a ways. I'm just trying to get a 7 general sense of what you were -- 8 A. That was -- 9 Q. That's fine. 10 And then do you have any 11 recollection with respect to what kind of the 12 other areas were, the manpower, forecasting, 13 administrative, what just generally those 14 involved? 15 A. Just knowing how to read the -- 16 the associates' attendance, how to forecast, 17 you know, based on the volume coming in, how 18 many people do you need, how long is it going 19 to take to do the work. That was the 20 manpower forecasting. 21 Q. And how long did the training 22 last? 23 A. I believe it was -- I want to 24 say six weeks. I don't recall how long the 25 training was.</p>	<p style="text-align: right;">Page 36</p> <p>1 Q. So until approximately 1996 at 2 some point you switched again? 3 A. Yes. 4 Q. Okay. What was your next role? 5 A. I was a QA manager. QA, 6 quality assurance. 7 Q. Can you just describe for us 8 very briefly what that means? 9 A. So it's the inventory, so on 10 the -- you would have responsibility for all 11 the inventory and the associates that 12 reported up through that process. 13 Q. How long did you have that 14 role, approximately? 15 A. Maybe about six or seven 16 months. 17 Q. And then you switched again; is 18 that correct? 19 A. I moved. 20 Q. Oh, you moved where you lived; 21 is that -- 22 A. Yes. 23 Q. And where did you move? 24 A. To Loveland, Colorado. 25 Q. Did you continue to work for</p>
<p style="text-align: right;">Page 35</p> <p>1 Q. Okay. And then after you 2 received this training, did you take a 3 different position at Walmart? 4 A. Then I had an area to run. 5 Q. Okay. And what area was that? 6 A. The marking room. 7 Q. Can you describe what the 8 marking room is? 9 A. So it was when goods came in to 10 Walmart, they weren't ticketed, so we would 11 ticket those -- that merchandise, and the 12 majority of it was apparel and shoes. 13 Q. And what do you mean by 14 "ticketed"? 15 A. Showed the price tags on them. 16 Q. Was this position also at the 17 DC? 18 A. Yes. 19 Q. And these were products that 20 were sold to Walmart by manufacturers or 21 suppliers? 22 A. Yes. 23 Q. And how long did you have that 24 role? 25 A. Maybe a year.</p>	<p style="text-align: right;">Page 37</p> <p>1 Walmart in Loveland, Colorado? 2 A. Yes. 3 Q. Okay. What did you do there? 4 A. I'm sorry? 5 Q. What did you do in Loveland? 6 I'm sorry. 7 A. So I was an area manager as 8 well. 9 Q. And how long did you have that 10 role in Loveland, approximately? 11 A. I lived in -- so I got there in 12 May of '96, and I left in April of '97. 13 Q. You left Loveland in April 14 of '97; is that correct? 15 A. That's correct. 16 Q. Okay. And where did you go at 17 that point? 18 A. I went to Hope Mills, North 19 Carolina. 20 Q. Was that move a result of a 21 change in Walmart jobs? 22 A. No. It was distribution as 23 well. 24 Q. Okay. That move was for 25 personal reasons not related to your</p>

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1 employment at Walmart; is that correct?
2 A. That's correct.
3 Q. So now you're in North
4 Carolina, still working for Walmart on the
5 distribution side, correct?
6 A. Correct.
7 Q. Was that also a distribution
8 center in North Carolina?
9 A. Yes.
10 Q. And are you still a manager, an
11 area manager, there?
12 A. Yes.
13 Q. Okay. And what was the next
14 role you had at Walmart?
15 A. So then I transferred back to
16 Plainview, Texas, in October of '97, and I
17 had an area manager position there as well.
18 Q. And then how long did you hold
19 that position back in Texas?
20 A. Until 2004.
21 Q. And what change occurred in
22 2004?
23 A. I moved to Bentonville,
24 Arkansas.
25 Q. And then what position did

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1 you -- strike that.
2 Did you change positions at
3 that point?
4 A. I did.
5 Q. Okay. And what was your new
6 position?
7 A. I worked in merchandise
8 support.
9 Q. Is that at a DC in Bentonville?
10 A. No, that was in the home
11 office. That was in the logistics building.
12 Q. And can you just describe
13 generally what your duties and
14 responsibilities were for that role in
15 merchandise support?
16 A. So I had responsibility for all
17 of the apparel and shoes and the flow of
18 those -- that product from supplier to
19 distribution center.
20 Q. And is that for all of the
21 Walgreens in the world?
22 A. In all the US apparel DCs.
23 Q. So you were responsible for
24 getting the apparel to the DCs; is that
25 correct?

Page 40

1 A. I worked with -- I was a
2 liaison between merchandising and logistics.
3 Q. And what sort of things would
4 you do on a day-to-day basis?
5 A. I would meet with the buyers to
6 find out when they were flowing product into
7 the distribution centers and determine when
8 those were going to hit. Because with
9 apparel it's seasonal, so there was four
10 seasons that you had to flow through; so you
11 have, you know, the winter season, you -- it
12 was a certain specific time frame. If there
13 was inventory left in the distribution
14 center, that you partnered with them to try
15 to flow that into the stores.
16 Q. During this time period, was
17 there a database or any other electronic
18 system that Walmart used to manage its
19 inventory?
20 MS. FUMERTON: Objection.
21 Form.
22 QUESTIONS BY MR. BOWER:
23 Q. I'll strike that.
24 How did Walmart manage its
25 inventory in 2004?

Page 41

1 MS. FUMERTON: Objection.
2 Form.
3 [REDACTED]
4 [REDACTED]
5 [REDACTED]
6 [REDACTED]
7 [REDACTED]
8 [REDACTED]
9 [REDACTED]
10 [REDACTED]
11 [REDACTED]
12 Q. Did you receive at that point
13 any -- or strike that.
14 At any point did you receive
15 specific training with respect to merchandise
16 inventory management?
17 A. I did.
18 Q. Okay. When was that?
19 A. When I came in 2004.
20 Q. Did that training occur in
21 Bentonville?
22 A. Yes.
23 Q. And how long did you hold that
24 position?
25 A. Till 2008.

Page 42

1 Q. And then what was the change in
2 2008?
3 A. I moved over to the pharmacy.
4 Q. And what was your title in
5 2008?
6 A. I was senior manager on the
7 pharmacy team.
8 Q. Was that your title in 2008,
9 senior manager in the pharmacy team?
10 A. I don't know what it said.
11 Q. What were your duties and
12 responsibilities in connection with that
13 role?
[REDACTED]

Page 43

[REDACTED]

Page 44

[REDACTED]

Page 45

[REDACTED]

Page 46

[REDACTED]

Page 48

[REDACTED]

Page 47

[REDACTED]

Page 49

[REDACTED]

Page 50

[REDACTED]

Page 51

[REDACTED]

6 Q. And you believe that occurred
7 sometime in 2010; is that correct?
8 A. '10 or '11. I don't recall.
9 Q. Before that rollout occurred,
10 did Walmart have a monitoring program in
11 place?
12 A. Yes.
13 Q. And what was that program?
14 A. I believe it was a 405 report,
15 and they monitored orders as they came in.
16 Q. Okay. And what do you mean
17 by -- when you say "they monitored orders as
18 they came in," what does that mean?
19 A. So the distribution center did
20 and the associates did.
21 Q. Are the associates at the
22 distribution center?
23 A. Yes.
24 Q. Okay. Anyone other than the
25 associates at the distribution center that

Page 52

1 would monitor orders?
2 MS. FUMERTON: Objection.
3 Form.
4 QUESTIONS BY MR. BOWER:
5 Q. And I'm just trying -- just so
6 the record is clear, I'm just trying to
7 understand your answer.
8 You said "the distribution
9 center did and the associates did." Are
10 those two different things in your mind?
11 A. They're all at the distribution
12 center.
13 Q. And what were the associates
14 doing prior to the rollout of Reddwerks?
15 A. So my understanding is that
16 they would -- they would let their manager
17 know if they saw an order that was out of the
18 ordinary.
19 Q. What do you mean by "out of the
20 ordinary"?
21 A. Like, for example, ReliOn
22 insulin, we had orders that would -- where
23 the pharmacy would think that they were
24 ordering ten vials of insulin, and they
25 actually ordered a hundred of them because

Page 53

1 they were in packs of ten. So those would be
2 examples of what they would bring to their
3 attention.
4 Q. And in fact, Walmart had an
5 automatic cut for those instant orders,
6 correct?
7 MS. FUMERTON: Objection.
8 Form.
9 Go ahead.
10 THE WITNESS: For the what now?
11 QUESTIONS BY MR. BOWER:
12 Q. For those insulin orders that
13 you just -- the example that you just
14 provided, Walmart actually had an automatic
15 cut for those orders, didn't they?
16 MS. FUMERTON: Objection.
17 Form.
18 THE WITNESS: It was a manual
19 cut; it wasn't automatic.
20 QUESTIONS BY MR. BOWER:
21 Q. A manual cut that was
22 automatically applied to insulin orders,
23 correct?
24 MS. FUMERTON: Objection.
25 Form.

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1 THE WITNESS: They would call
 2 the store to inform them that they had
 3 placed -- if they really wanted a
 4 hundred because, I mean, the
 5 refrigerator didn't hold a hundred.
 6 QUESTIONS BY MR. BOWER:
 7 Q. Right.
 8 And that was specific to
 9 insulin, correct?
 10 A. That's correct.
 11 Q. Okay. What about with respect
 12 to Schedule II narcotics, what were the DCs
 13 doing in 2008?
 14 MS. FUMERTON: Objection.
 15 Form.
 16 THE WITNESS: My understanding
 17 is they would do the same thing with
 18 that.
 19 QUESTIONS BY MR. BOWER:
 20 Q. And where does that
 21 understanding come from?
 22 A. Just from when I was training
 23 in 2008, when I was out at the DCs training.
 24 Q. Okay. So what specifically did
 25 you learn in connection with your training

Page 55

1 that the DCs were doing for Schedule II
 2 narcotics?
 3 MS. FUMERTON: Objection.
 4 Form.
 5 THE WITNESS: So again, they
 6 would look at that paper and let their
 7 supervisor or manager know that this
 8 appears to be out of the ordinary or
 9 unusual.
 10 QUESTIONS BY MR. BOWER:
 11 Q. And at that point -- and we're
 12 talking 2008, correct?
 13 A. Yes.
 14 Q. At that point, how was DC 6045
 15 receiving orders? They were paper, correct?
 16 A. So those would come in
 17 electronically. They're printed on paper.
 18 Q. They would come in
 19 electronically once a day?
 20 A. That's correct.
 21 Q. And then they would print it on
 22 paper at the DC?
 23 A. That's correct.
 24 Q. And then what would happen to
 25 those papers?

Page 56

1 A. Well, first they would print
 2 the 222 form, sign those, and then that and
 3 the paper order would be put together in a
 4 packet, and the associates would fill orders
 5 based on that paper order.
 6 Q. And was it the practice for the
 7 orders to be filled and shipped the same day
 8 they came in?
 9 A. Yes.
 10 Q. And approximately how many
 11 orders came in to DC 6045 on a daily basis
 12 during this time period?
 13 A. I don't recall how many orders
 14 came in.
 15 Q. Would it have been in the
 16 hundreds of orders? Could it have been in
 17 the hundreds of orders per day?
 18 A. Well, they filled store
 19 order -- store only got an order once a week
 20 of C-IIs. So if you divide it up, however
 21 many stores we had at the time, that's how
 22 many orders they would -- processed, four
 23 days a week.
 24 Q. That's fine.
 25 You said four days a week?

Page 57

1 A. Yes.
 2 Q. So, for example, if there were
 3 4,000 stores, approximately a thousand orders
 4 a day, correct?
 5 A. Potentially.
 6 Q. And just so the record's clear,
 7 you mentioned a couple reports. I just want
 8 to go through just what those reports are.
 9 What is a 222?
 10 A. It's a DEA 222 form to move
 11 C-II drugs.
 12 Q. Okay. And what is a 405
 13 report?
 14 A. So it was a report that the
 15 distribution used. I don't know what they --
 16 I don't know what all it had on there. I
 17 know that they used it.
 18 Q. And how do you know that they
 19 used it?
 20 A. Because when it didn't generate
 21 one month, they pinged me to help them get it
 22 generated.
 23 Q. Do you know why they pinged you
 24 to help get them generated?
 25 A. Because of the systems

Page 58

1 background that I had.
2 Q. And what systems backgrounds do
3 you have?
4 A. It was mainly knowing how the
5 orders would come in, some of the jobs that
6 were run for certain reports. So I would
7 partner with maybe my -- I had contacts over
8 in the IT department, so they would ask me to
9 ping somebody over in IT to let them know
10 that a report didn't run.
11 Q. And I just want to put a time
12 frame on that answer.
13 What time frame would you ping
14 folks in IT to run a report?
15 MS. FUMERTON: Objection.
16 Form.
17 THE WITNESS: That happened to
18 be one incident. I don't know when it
19 occurred.
20 QUESTIONS BY MR. BOWER:
21 Q. Okay. Other than the 405
22 reports and the DC associates reviewing the
23 orders, prior to the role of Reddwerks, was
24 Walmart doing anything else to review orders
25 for Schedule II narcotics?

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1 MS. FUMERTON: Objection.
2 Form.
3 THE WITNESS: I don't know.
4 QUESTIONS BY MR. BOWER:
5 Q. Anything else that you're aware
6 of that was being done?
7 MS. FUMERTON: Objection.
8 Form.
9 THE WITNESS: I don't know.
10 QUESTIONS BY MR. BOWER:
11 Q. Well, you visited DC 6045 in
12 2008, correct?
13 A. I did.
14 Q. Okay. At that point did you
15 see anything else being done in connection
16 with reviewing orders placed by the
17 pharmacies for Schedule II narcotics?
18 MS. FUMERTON: Objection.
19 Form.
20 THE WITNESS: Not that I
21 recall.
22 QUESTIONS BY MR. BOWER:
23 Q. Okay. And did someone at DC
24 6045 tell you that they would have the
25 associates review the orders on a daily

Page 60

1 basis?
2 A. That was part of the training
3 that -- when I was learning how to -- they
4 filled orders. They told me and so did the
5 associates.
6 Q. Okay. So who told you that?
7 A. I don't recall the manager that
8 would have said it.
9 Q. Was it the manager at 6045 or
10 your manager for the training?
11 A. No, it was the managers that
12 were supervisors at 6045.
13 Q. Mike Mullin?
14 A. He was a general manager. I
15 don't know.
16 Q. Okay. Do you know who had
17 responsibility at 6045 for making sure the
18 associates would review the orders for
19 Schedule II narcotics?
20 A. I don't know.
21 Q. Are you aware of any instance
22 where the associates flagged an order for
23 Schedule II narcotics as potentially
24 suspicious?
25 MS. FUMERTON: Objection.

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1 Form.
2 THE WITNESS: I don't know.
3 QUESTIONS BY MR. BOWER:
4 Q. Was that part of your training?
5 A. I spent a day there. I --
6 doing the order filling process. That day we
7 didn't. I don't know of anything else that
8 would have been done.
9 Q. What about since that day?
10 MS. FUMERTON: Objection.
11 Form.
12 THE WITNESS: I don't know. It
13 wouldn't have been anything that would
14 have come to me.
15 [REDACTED]
16 [REDACTED]
17 [REDACTED]
18 [REDACTED]
19 [REDACTED]
20 [REDACTED]
21 [REDACTED]
22 [REDACTED]
23 [REDACTED]
24 [REDACTED]
25 [REDACTED]

Page 62

[REDACTED]

Page 64

[REDACTED]

Page 63

[REDACTED]

Page 65

[REDACTED]

Page 66

[REDACTED]

Page 67

[REDACTED]

14 MS. FUMERTON: Zach, we've been
15 going for about an hour. Would it be
16 okay --
17 MR. BOWER: Can we just have a
18 few minutes just to round out her
19 employment history and then we'll --
20 MS. FUMERTON: Sure.
21 MR. BOWER: I just wanted -- so
22 we can switch topics after the break.
23 QUESTIONS BY MR. BOWER:
24 Q. So you held this position
25 beginning in 2008 where you were senior

Page 68

1 manager for the pharmacy team.
2 How long did you hold that
3 position?
4 A. That's what I currently do.
5 Q. You still have that -- what's
6 your current title?
7 A. Senior manager, department
8 supply chain. We just changed it from
9 logistics to supply chain.
10 MR. BOWER: It might take a
11 little longer to go through subsequent
12 duties and responsibilities, so why
13 don't we take a break and we can
14 finish up after.
15 MS. FUMERTON: Okay.
16 VIDEOGRAPHER: Going off the
17 record at 8:33 a.m.
18 (Off the record at 8:33 a.m.)
19 VIDEOGRAPHER: We're back on
20 the record at 8:47 a.m.
21 QUESTIONS BY MR. BOWER:
22 Q. Okay. I just want to finish
23 up, hopefully fairly briefly, your roles at
24 Walmart.
25 So from 2008 to the present,

Page 69

1 you've had the same title, essentially; is
2 that correct?
3 A. That's correct.
[REDACTED]

Page 70

[REDACTED]

Page 72

[REDACTED]

Page 71

[REDACTED]

Page 73

[REDACTED]

Page 74

[REDACTED]

Page 76

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Page 90

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Page 92

[REDACTED]

Page 91

[REDACTED]

Page 93

[REDACTED]

Page 94

[REDACTED]

Page 96

[REDACTED]

4 Q. Do you recall -- strike that.
5 All right. Are you aware the
6 country is undergoing an opioid epidemic?
7 A. I am aware of that.
8 Q. When did you become aware of
9 that?
10 A. I don't know exactly when.
11 I've seen it in the news.
12 Q. Did you ever discuss it at
13 work?
14 A. No.

[REDACTED]

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[REDACTED]

Page 97

[REDACTED]

Page 98

[REDACTED]

Page 100

[REDACTED]

Page 99

[REDACTED]

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Page 114

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Page 116

[REDACTED]

Page 115

[REDACTED]

Page 117

[REDACTED]

Page 118

[REDACTED]

Page 120

[REDACTED]

24 QUESTIONS BY MR. BOWER:

25 Q. Were you aware in July of 2012

Page 119

[REDACTED]

Page 121

1 that oxycodone was creating an opioid
2 epidemic in this country?

3 MS. FUMERTON: Objection.
4 Form.

5 THE WITNESS: I was not aware.

6 QUESTIONS BY MR. BOWER:

7 Q. Hadn't seen any news reports on
8 it prior to this time period?

9 A. I don't recall.

[REDACTED]

Page 122

[REDACTED]

Page 124

[REDACTED]

Page 123

[REDACTED]

Page 125

[REDACTED]

Page 126

[REDACTED]

Page 128

[REDACTED]

19 MS. FUMERTON: Is this a good
20 transition point? Because we've been
21 going about an hour and 20 minutes
22 now.
23 MR. BOWER: Sure, we can take a
24 break. I don't know what your
25 schedule is, but if we keep taking

Page 127

[REDACTED]

Page 129

1 15-minute breaks an hour, we're not
2 going to be done by 4, so...
3 MS. FUMERTON: Well, it wasn't
4 15 minutes last time, I checked. But
5 in any event, we'll keep the breaks
6 short, and we'll keep lunch short,
7 too.
8 MR. BOWER: Okay.
9 VIDEOGRAPHER: Going off the
10 record. It's 9:54 a.m.
11 (Off the record at 9:54 a.m.)
12 VIDEOGRAPHER: We're back on
13 the record at 10:07 a.m.
14 (Walmart-Sullins Exhibit 4
15 marked for identification.)
16 QUESTIONS BY MR. BOWER:
17 Q. Okay. Ms. Sullins, we're back
18 on the record.

[REDACTED]

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[REDACTED]

Page 132

[REDACTED]

Page 131

[REDACTED]

Page 133

[REDACTED]

Page 134

[REDACTED]

Page 136

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Page 167

[REDACTED]

Page 169

[REDACTED]

Page 170

[REDACTED]

Page 172

[REDACTED]

Page 171

[REDACTED]

Page 173

[REDACTED]

17 MR. BOWER: We can take a
18 break.
19 VIDEOGRAPHER: Going off the
20 record at 10:54 a.m.
21 (Off the record at 10:54 a.m.)
22 VIDEOGRAPHER: We're back on
23 the record at 11:06 a.m.
24 QUESTIONS BY MR. BOWER:
25 Q. Okay. We're back on the

Page 174

Page 176

1 record. I just wanted to talk a minute,
2 ma'am, about the oath that you've taken
3 today.

4 Okay?

5 A. Yes.

6 Q. You understand the nature of
7 that oath?

8 A. Yes.

9 Q. You understand that your
10 obligation is to tell the whole truth and
11 nothing but the truth? Do you understand
12 that?

13 A. Yes.

14 Q. So, for example, when you say
15 you don't remember, you have to have a basis
16 for that statement.

17 Do you understand that?

18 MS. FUMERTON: Objection to the
19 instruction and the question.

20 THE WITNESS: I understand
21 that.

22 QUESTIONS BY MR. BOWER:

■ [REDACTED]
 ■ [REDACTED]
 ■ [REDACTED]

1 record.

2 MR. BOWER: And that's why
3 you're free to make an objection.
4 Right?

5 So you're free to make your
6 objections, but I would appreciate if
7 you didn't have speaking objections.

8 MS. FUMERTON: You're the one
9 that's keeping talking right now.

¹⁰ QUESTIONS BY MR. BOWER:

1. **Identify the main purpose of the document.**
 2. **Summarize the key points or findings.**
 3. **Highlight any specific data or statistics.**
 4. **Discuss the implications or conclusions.**
 5. **Provide a clear and concise conclusion.**

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Page 177

[REDACTED]

10 So you're misstating her --
11 yes, it is absolutely what she said.

12 MR. BOWER: I appreciate your
13 speaking objection, but I would also
14 ask that you refrain from those in the
15 future.

16 MS. FUMERTON: Well, I would
17 ask that you refrain from
18 mischaracterizing the witness'
19 testimony.

20 MR. BOWER: There's a reason
21 that you're only allowed for speaking
22 objections. I would just ask you to
23 abide by that obligation.

24 MS. FUMERTON: You also have an
25 obligation not to misrepresent the

2 Q. Do you know what ARCOS is?

3 A. Yes.

4 O. What is ARCOS?

5 A. Sales and purchases.

6 Q. Do you know whether Walmart
7 reports information to the DEA?

8 A. Yes.

9 Q. Do you know how Walmart reports
10 that information?

11 A. They report it monthly.

12 Q. And who creates the reports?

13 A. It's created through a job in
14 the system, so it's an automatic report that
15 gets put on a server. We take that data and
16 upload it into the DEA's website.

17 Q. And who has the responsibility
18 at Walmart to physically do the uploading of
19 the data?

20 A. There was an individual on our
21 team that did that.

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[REDACTED]

Page 180

[REDACTED]

Page 179

[REDACTED]

Page 181

[REDACTED]

2 But take your time to review it
3 and then -- before answering the question.
4 It looks like there's maybe two copies of the
5 document --
6 MS. FUMERTON: I was just
7 trying to figure out if that was
8 supposed to be the case, or was it --
9 MR. BOWER: I don't think so,
10 but I think they're also identical, so
11 I don't know if it's...
12 MS. FUMERTON: It looks like
13 from the attachments --
14 MR. BOWER: There's only one,
15 right?
16 MS. FUMERTON: This should be
17 only one.
18 MR. BOWER: Yeah. So we can
19 either pull it out or --
20 MS. FUMERTON: Why don't we
21 pull it out.
22 MR. BOWER: -- investigate.
23 Yeah. Okay.
24 MS. FUMERTON: At a break,
25 we'll just double-check. We'll do a

Page 182

1 comparison.
2 MR. BOWER: Yes, that's --
3 either way is fine. I don't have any
4 questions on the second one anyways
5 because that would have been my
6 assumption, so...
7 And we can remove yours at the
8 break --
9 MS. FUMERTON: Okay.
10 MR. BOWER: -- so we don't have
11 to worry about it now.
12 QUESTIONS BY MR. BOWER:

[REDACTED]

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[REDACTED]

Page 183

[REDACTED]

Page 185

[REDACTED]

Page 186

[REDACTED]

Page 188

[REDACTED]

Page 187

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Page 189

[REDACTED]

Page 190

[REDACTED]

Page 192

[REDACTED]

Page 191

[REDACTED]

Page 193

[REDACTED]

Page 194

1 [REDACTED]
2 [REDACTED]
3 [REDACTED]
4 [REDACTED]
5 MS. FUMERTON: Objection.
6 Form.
7 MR. BOWER: Are you objecting
8 that the slides on this e-mail were
9 sent to the people on the e-mail?
10 MS. FUMERTON: I'm objecting
11 because you continuously do not listen
12 to her answers and misrepresent the
13 testimony, because she said that there
14 were other people involved in the
15 team, and then you keep trying to
16 reduce it to a smaller number.
17 MR. BOWER: I don't reduce it.
18 QUESTIONS BY MR. BOWER:
19 [REDACTED]
20 [REDACTED]
21 [REDACTED]
22 [REDACTED]
23 [REDACTED]
24 [REDACTED]
25 [REDACTED]

Page 195

1 [REDACTED]
2 [REDACTED]
3 [REDACTED]
4 [REDACTED]
5 [REDACTED]
6 [REDACTED]
7 [REDACTED]
8 [REDACTED]
9 [REDACTED]
10 [REDACTED]
11 [REDACTED]
12 [REDACTED]
13 [REDACTED]
14 [REDACTED]
15 [REDACTED]
16 [REDACTED]
17 [REDACTED]
18 MS. FUMERTON: Objection.
19 Form. And I object to what you're
20 asking because you're going back to
21 the original question that you asked.
22 And she said, "Let me look to
23 see if I had any responsibility," and
24 you said you were going to withdraw
25 that question, and then you came back

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1 and insisted that she answer the
2 question.
3 So if you want her to answer
4 whether she had responsibility for
5 anything in the slides, you need to
6 allow her time to review the slides.
7 MR. BOWER: I would ask, again,
8 for no speaking objections.
9 MS. FUMERTON: And I am going
10 to again ask you to stop
11 misrepresenting her testimony and the
12 record.
13 Are you objecting to letting
14 her have time to review the slides?
15 MR. BOWER: I never did.
16 MS. FUMERTON: Yes, you did.
17 MR. BOWER: I just asked the
18 question.
19 MS. FUMERTON: You withdrew the
20 question.
21 MR. BOWER: I withdrew the
22 question.
23 MS. FUMERTON: And now you
24 asked again.
25 MR. BOWER: Now -- let me clear

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1 up the record, because now you've made
2 a long record that's inaccurate, which
3 is frequent in this case.
4 I withdrew the question. I
5 asked some foundational questions and
6 then asked the question again, at
7 which point you interjected your long
8 speaking objection which is
9 inappropriate.
10 QUESTIONS BY MR. BOWER:
11 Q. So I'll ask again. And I've
12 given you plenty of time today to review
13 every document. All I'm asking you is, did
14 you have any responsibility in connection
15 with anything represented in these slides?
16 MS. FUMERTON: And you can take
17 the time to review the slides.
18 MR. BOWER: And while she's
19 reviewing, I would appreciate if we
20 could end the speaking objections
21 because it's getting out of hand.
22 MS. FUMERTON: It's not getting
23 out -- and, Zach, again, you cannot
24 withdraw when she says, "Give me a
25 minute to review," and you say, "I'll

Page 198

1 withdraw the question," then come back
2 and ask. You have to give her time to
3 review the slides.

4 MR. BOWER: I never didn't give
5 her time.

6 MS. FUMERTON: I'm not going to
7 let you railroad her into questions
8 that are unfair.

9 MR. BOWER: Look, it's pretty
10 clear that your speaking objections
11 are strategic, so if they keep going,
12 we're going to have to find some
13 relief because it's inappropriate.

14 MS. FUMERTON: Is your
15 misrepresenting the record strategic?

16 MR. BOWER: I am not. I
17 withdrew a question. I asked
18 foundational questions then asked the
19 question again.

20 MS. FUMERTON: All I'm asking
21 is for time to review the document.

22 MR. BOWER: Then that should be
23 the nature of your statement, not a
24 long colloquy.

■ [REDACTED]

Page 200

■ [REDACTED]

Page 199

■ [REDACTED]

Page 201

■ [REDACTED]

Page 202

[REDACTED]

Page 204

[REDACTED]

Page 203

[REDACTED]

3 Q. Okay. Were you aware in 2013
4 that the country was in the middle of an
5 opioid crisis?
6 A. I don't know when I became
7 aware of it.
8 Q. Do you recall being aware of it
9 at this time?
10 A. No, I don't recall that.

[REDACTED]

Page 205

[REDACTED]

Page 206

[REDACTED]

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[REDACTED]

Page 207

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Highly Confidential - Subject to Further Confidentiality Review

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Page 256

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Page 255

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Page 257

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Page 258

[REDACTED]

Page 260

1 MR. BOWER: Okay. So we've
2 been going about an hour. We'll take
3 a break. I'll pull out those
4 documents. We'll have to go through
5 them. Okay?
6 MS. FUMERTON: Okay.
7 VIDEOGRAPHER: Going off the
8 record at 1:13 p.m.
9 (Off the record at 1:13 p.m.)
10 VIDEOGRAPHER: We're back on
11 the record at 1:30.
12 (Walmart-Sullins Exhibit 13
13 marked for identification.)
14 QUESTIONS BY MR. BOWER:
15 Q. Okay. I'm going to hand you
16 what's been marked as Exhibit 13. It's a
17 rather long document, so take a few minutes
18 and look at it.
19 MS. FUMERTON: Zach, did you
20 correct the other document during the
21 break?
22 MR. BOWER: No, I did not.
23 MS. FUMERTON: That's fine. As
24 long as we just do it by the end of
25 the day.

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[REDACTED]

Page 261

1 MR. BOWER: Yeah.
2 QUESTIONS BY MR. BOWER:
[REDACTED]

Page 262

[REDACTED]

Page 264

[REDACTED]

Page 263

[REDACTED]

Page 265

[REDACTED]

Page 266

[REDACTED]

25

Page 268

[REDACTED]

Page 267

[REDACTED]

Page 269

[REDACTED]

Page 270

[REDACTED]

Page 272

1 just using however you -- whatever you
2 meant purchase order, that's what I
3 mean.

[REDACTED]

Page 271

1 [REDACTED]
2 Q. What is the longest -- strike
3 that.
4 Let's say someone needed to
5 look back as far as possible for purchase
6 orders.
7 Where would they go?
8 MS. FUMERTON: Objection.
9 Form.
10 QUESTIONS BY MR. BOWER:
11 Q. I'll strike that.
12 Let's say someone wanted to
13 look back as far as they could go for
14 purchase orders for C-IIs, okay? Where would
15 they go?
16 MS. FUMERTON: Objection.
17 Form.
18 QUESTIONS BY MR. BOWER:
19 Q. And I'm talking now about any
20 time period.
21 MS. FUMERTON: My objection is
22 actually different. It's to the use
23 of the term "purchase order." I just
24 want to make sure you're not talk --
25 MR. BOWER: That's fine. I'm

Page 273

[REDACTED]

Page 274

[REDACTED]

Page 276

[REDACTED]

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Page 286

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Page 288

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Page 287

[REDACTED]

Page 289

[REDACTED]

25

MS. FUMERTON: Let me just give

Page 290

1 some clarification because there's
2 actually sort of two e-mails and
3 then --
4 MR. BOWER: Why don't we not
5 have testimony from counsel on the
6 record. If we need to clarify it off
7 record, we can do it, but...
8 MS. FUMERTON: Well, okay.
9 Well, I didn't question -- I object to
10 the question then because I think it's
11 unclear.
12 THE WITNESS: What was your
13 question?
14 QUESTIONS BY MR. BOWER:
[REDACTED]

Page 291

[REDACTED]

Page 292

[REDACTED]

Page 293

[REDACTED]

Page 294

[REDACTED]

Page 296

[REDACTED]

Page 295

[REDACTED]

Page 297

[REDACTED]

Page 298

[REDACTED]

Page 300

1 she can answer if you're not restating
2 your question.
3 And if you are restating your
4 question, I object to the third
5 question and the supplement.

[REDACTED]

Page 299

1 [REDACTED]

14 MS. FUMERTON: Objection.
15 Form. Lack of foundation.
16 QUESTIONS BY MR. BOWER:
17 Q. Well, you just don't recall,
18 right?
19 MS. FUMERTON: Objection.
20 Form.
21 QUESTIONS BY MR. BOWER:
22 Q. Could have happened?
23 MS. FUMERTON: Objection to the
24 three questions that have been asked.
25 She hasn't -- if I make an objection,

Page 301

[REDACTED]

Page 302

[REDACTED]

Page 304

[REDACTED]

Page 303

[REDACTED]

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Page 308

[REDACTED]

Page 307

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Page 309

[REDACTED]

Page 310

[REDACTED]

Page 312

[REDACTED]

5 MS. FUMERTON: Objection. Form
6 and misstates her testimony.
7 I've been giving a lot of
8 leeway for you to go at this many
9 ways, as I understand you have that,
10 but at some point it becomes harassing
11 if you keep asking the same question
12 and misstating the testimony every
13 time.
14 MR. BOWER: She's not answering
15 the question. So let me just try it
16 one more time --
17 MS. FUMERTON: I disagree.
18 MR. BOWER: -- and then we'll
19 just ask to read back the question.
20 Okay.
21 QUESTIONS BY MR. BOWER:
[REDACTED]

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[REDACTED]

Page 313

[REDACTED]

Page 314

[REDACTED]

Page 316

[REDACTED]

Page 315

[REDACTED]

Page 317

[REDACTED]

13 MS. FUMERTON: Lack of
14 foundation.
15 MR. BOWER: Can you read
16 back -- I move to strike that answer.
17 Can you please read back the question?
18 MS. FUMERTON: Zach, it's
19 fundamentally unfair, if somebody's
20 repeatedly telling you they don't
21 recall something, whether or not it's
22 an accurate statement.
23 She's answered that seven ways
24 from Sunday as to she does not
25 recall --

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1 MR. BOWER: The question isn't
2 whether --

3 MS. FUMERTON: -- the
4 conversation. You asked whether or
5 not it's accurate.

6 MR. BOWER: I would appreciate
7 the speaking objections to end, okay?
8 It's not -- and just to be clear, my
9 question isn't whether you recall the
10 statement. The question is whether
11 the statement is an accurate
12 statement.

13 MS. FUMERTON: Objection. Form
14 and lack of foundation.

[REDACTED]

Page 319

[REDACTED]

Page 320

[REDACTED]

5 MS. FUMERTON: We've been going
6 about an hour. Can we take a -- if
7 you're moving on.

8 MR. BOWER: Sure. Okay.

9 MS. FUMERTON: It will be a
10 short break. I just need to use the
11 restroom.

12 VIDEOGRAPHER: Going off the
13 record at 2:35 p.m.

14 (Off the record at 2:35 p.m.)

15 VIDEOGRAPHER: We're back on
16 the record at 2:48 p.m.

17 (Walmart-Sullins Exhibit 17
18 marked for identification.)

19 QUESTIONS BY MR. BOWER:

20 Q. Back on the record, Exhibit 17.

[REDACTED]

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[REDACTED]

Page 322

[REDACTED]

Page 324

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Page 323

[REDACTED]

Page 325

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Page 356

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Page 355

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Page 357

[REDACTED]

Page 358

[REDACTED]

Page 360

[REDACTED]

5 Q. And before we go to the next
6 exhibit, you must have been aware in 2016
7 that the nation was in an opioid crisis,
8 weren't you?
9 MS. FUMERTON: Objection.
10 Form.
11 THE WITNESS: That the nation
12 was?
13 QUESTIONS BY MR. BOWER:
14 Q. Was in the middle of an opioid
15 epidemic, a crisis.
16 MS. FUMERTON: Objection.
17 Form.
18 THE WITNESS: I don't know
19 when -- when I learned of that from
20 the news, but --
21 QUESTIONS BY MR. BOWER:
22 Q. Do you disagree that the nation
23 was in the middle of an opioid crisis in
24 2016?
25 MS. FUMERTON: Objection.

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[REDACTED]

Page 361

1 Form.
2 THE WITNESS: I don't know when
3 I learned of that from the news.
4 (Walmart-Sullins Exhibit 23
5 marked for identification.)
6 QUESTIONS BY MR. BOWER:
[REDACTED]

Page 362

[REDACTED]

Page 364

[REDACTED]

Page 363

[REDACTED]

Page 365

[REDACTED]

Page 366

[REDACTED]

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Page 370

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Page 372

[REDACTED]

Page 371

[REDACTED]

Page 373

[REDACTED]

Page 374

[REDACTED]

Page 376

[REDACTED]

17 MS. FUMERTON: Zach, I think
18 you have like two or three minutes. I
19 don't know if we can get a -- want to
20 go off the record for a second to get
21 a check on the time?
22 VIDEOGRAPHER: Going off the
23 record at 3:51 p.m.
24 (Off the record at 3:51 p.m.)
25 VIDEOGRAPHER: We're back on

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[REDACTED]

Page 377

1 the record at 3:58 p.m.
2 QUESTIONS BY MR. BOWER:
3 Q. Ms. Sullins, I just have a few
4 more questions, closing up some questions
5 from this morning.
[REDACTED]

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[REDACTED]

Page 380

[REDACTED]

Page 379

[REDACTED]

Page 381

[REDACTED]

Page 382

[REDACTED]

Page 384

[REDACTED]

7 MS. FUMERTON: Okay. Can we go
8 off the record for a second?
9 VIDEOGRAPHER: Going off the
10 record at 4:05 p.m.
11 (Off the record at 4:05 p.m.)
12 VIDEOGRAPHER: We're back on
13 the record at 4:07 p.m.
14 CROSS-EXAMINATION
15 QUESTIONS BY MS. FUMERTON:
16 Q. Good afternoon, Ms. Sullins. I
17 just have a couple of questions to follow up
18 on some of the questions that Mr. Bower asked
19 you earlier.
20 A. Okay.

[REDACTED]

Page 383

[REDACTED]

Page 385

[REDACTED]

25

Page 386

[REDACTED]

Page 388

[REDACTED]

Page 387

[REDACTED]

Page 389

[REDACTED]

Page 390

[REDACTED]

7 MS. FUMERTON: I have no
8 further questions.
9 MR. BOWER: I just have a
10 couple of follow-ups. Do you want to
11 switch back?
12 MS. FUMERTON: Let's go off the
13 record. Your rules.
14 VIDEOGRAPHER: Going off the
15 record at 4:12 p.m.
16 (Off the record at 4:12 p.m.)
17 VIDEOGRAPHER: We're back on
18 the record at 4:13 p.m.
19 REDIRECT EXAMINATION
20 QUESTIONS BY MR. BOWER:
[REDACTED]

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[REDACTED]

Page 392

[REDACTED]

21 MR. BOWER: I have nothing
22 further.
23 MS. FUMERTON: Okay. I
24 literally have like two questions just
25 to follow up on what you said. Are we

Page 393

1 really going to switch?
2 MR. BOWER: Yeah.
3 MS. FUMERTON: Okay. Can we go
4 off the record?
5 VIDEOGRAPHER: Going off the
6 record at 4:15 p.m.
7 (Off the record at 4:15 p.m.)
8 VIDEOGRAPHER: We're back on
9 the record at 4:15 p.m.
10 RECROSS-EXAMINATION
11 QUESTIONS BY MS. FUMERTON:
12 Q. Ms. Sullins, just a couple
13 quick questions.
[REDACTED]

Page 394

1 [REDACTED]
2 [REDACTED]
3 [REDACTED]
4 [REDACTED]
5 [REDACTED]
6 [REDACTED]
7 [REDACTED]
8 MS. FUMERTON: I have no
9 further questions.
10 MR. BOWER: I have nothing
11 further.
12 VIDEOGRAPHER: Going off the
13 record at 4:16 p.m.
14 This concludes the videotaped
15 deposition of Ramona Sullins.
16 (Deposition concluded at 4:16 p.m.)
17 -----
18
19
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25

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1 CERTIFICATE
2
3 I, CARRIE A. CAMPBELL, Registered
4 Diplomat Reporter, Certified Realtime
Reporter and Certified Shorthand Reporter, do
5 hereby certify that prior to the commencement
6 of the examination, Ramona Sullins was duly
7 sworn by me to testify to the truth, the
8 whole truth and nothing but the truth.
9 I DO FURTHER CERTIFY that the
10 foregoing is a verbatim transcript of the
11 testimony as taken stenographically by and
12 before me at the time, place and on the date
13 hereinbefore set forth, to the best of my
14 ability.
15 I DO FURTHER CERTIFY that I am
16 neither a relative nor employee nor attorney
17 nor counsel of any of the parties to this
18 action, and that I am neither a relative nor
19 employee of such attorney or counsel, and
20 that I am not financially interested in the
21 action.
22
23 CARRIE A. CAMPBELL,
24 NCRA Registered Diplomat Reporter
25 Certified Realtime Reporter
California Certified Shorthand
Reporter #13921
Missouri Certified Court Reporter #859
Illinois Certified Shorthand Reporter
#084-004229
Texas Certified Shorthand Reporter #9328
Kansas Certified Court Reporter #1715
Notary Public
Dated: January 8, 2019

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1 INSTRUCTIONS TO WITNESS
2
3 Please read your deposition over
4 carefully and make any necessary corrections.
5 You should state the reason in the
6 appropriate space on the errata sheet for any
7 corrections that are made.
8 After doing so, please sign the
9 errata sheet and date it. You are signing
10 same subject to the changes you have noted on
11 the errata sheet, which will be attached to
12 your deposition.
13 It is imperative that you return
14 the original errata sheet to the deposing
15 attorney within thirty (30) days of receipt
16 of the deposition transcript by you. If you
17 fail to do so, the deposition transcript may
18 be deemed to be accurate and may be used in
19 court.
20
21
22
23
24
25

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1 ACKNOWLEDGMENT OF DEPONENT
2
3
4 I, _____, do
5 hereby certify that I have read the foregoing
6 pages and that the same is a correct
7 transcription of the answers given by me to
8 the questions therein propounded, except for
9 the corrections or changes in form or
10 substance, if any, noted in the attached
11 Errata Sheet.
12
13 _____
14 Ramona Sullins DATE
15
16 Subscribed and sworn to before me this
17 _____ day of _____, 20 _____.
18 My commission expires: _____
19 Notary Public
20
21
22
23
24
25

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	ERRATA	
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